



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q61689

Takayuki USUI, et al.

Appln. No.: 09/788,351

Group Art Unit: 1772

Confirmation No.: 1061

Examiner: Walter AUGHENBAUGH

Filed: February 21, 2001

For: PLANOGRAPHIC PRINTING PLATE PACKAGING MATERIAL AND
PLANOGRAPHIC PRINTING PLATE PACKAGING STRUCTURE

DECLARATION UNDER 37 C.F.R. § 1.132

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, [Press F11 to type name] , hereby declare and state:

THAT I am a citizen of [Press F11 to type country] ;

THAT I have received the degree of [Press F11 to type degree] in [Press F11 to type year]
from [Press F11 to type institution] ;

THAT I have been employed by [Press F11 to type employer] since
[Press F11 to type date] , where I hold a position as [Press F11 to type job title] ; with
responsibility for [Press F11 to type job responsibilities] ;

I am familiar with the Office Action of September 22, 2005, where the Examiner
considered claims 1-24 and 26-29 unpatentable under 35 U.S.C. § 103(a). Specifically, claims 1-
24 and 26-29 are rejected as follows:

- a) claims 1, 2, 7-10, 13-16, 18-22, and 24-27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,130,023 to Coppens et al. (hereinafter "Coppens") in view of U.S. Patent No. 4,376,816 to Hayashi et al. (hereinafter "Hayashi") and U.S. Patent No. 6,306,254 to Usui (hereinafter "Usui");
- b) claims 3, 5, 11, and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Coppens, Hayashi, and Usui in view of Japanese Patent Abstract No. 03036545 to Goto et al. (hereinafter "Goto");
- c) claims 4, 6, and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Coppens, Hayashi, and Usui in view of U.S. Patent No. 5,729,962 to Dirx (hereinafter "Dirx") and Japanese Patent No. 8-39958 to Usui et al. (hereinafter "Usui 2");
- d) claim 23 is rejected under 35 U.S.C. § 103(a) as being obvious over Coppens and Hayashi in view of U.S. Patent No. 3,767,451 to Busch (hereinafter "Busch"); and
- e) claims 28 and 29 are rejected under 35 U.S.C. § 103(a) as being obvious over Coppens in view of Hayashi.

I report below on experimentation conducted by me or directly under my supervision.

1. Density and Air Permeability of a Printing Plate do not Correlate.

Data in the following table is provided as evidence that there is no correlation or interrelationship between density and air permeability. The data provided in this table was obtained by [to be inserted].

Specifically, U.S. Patent No. 6,306,254 to Usui (hereinafter "Usui") discloses a density of 0.8 g/cm^3 (col. 2, lines 58 to 62). Accordingly, [I/we] have taken a printing plate such as the one disclosed in Usui having a density of 0.8 g/cm^3 and obtained various air permeability characteristics (in sec) while keeping the density the same. Different air permeability characteristics were obtained by _____. Therefore, the data related to Usui, in the table below, clearly shows that air permeability is not necessarily correlated with density.

European Patent No. 0 955 564 to Usui et al. (hereafter “Usui 2”), discloses densities of 0.72 g/cm³, 0.80 g/cm³, 0.64 g/cm³, 0.67 g/cm³ (col. __, lines ____). Accordingly, [I/we] have taken printing plates such as the ones disclosed in Usui 2 having the above-noted densities and obtained substantially similar air permeability characteristic (in sec). That is, the data related to Usui 2, in the table below, shows that while density may vary, air permeability may remain substantially the same. Further evidencing that density does not necessarily flow from air permeability.

Cited Reference	Remarks	Disclosed Example	Density (g/cm ³)	Air permeability (sec)
Usui	Fixed air permeability	Example 1	0.8	15
		Example 2	0.8	300
		Comparative Example 1	0.8	13
		Comparative Example 2	0.8	400 or above
Usui 2	Fixed density heavy paper	Example 1	0.72	1000 or above
		Example 2	0.80	1000 or above
		Conventional Example 1	0.64	1000 or above
		Conventional Example 2	0.67	1000 or above

2. Interleaf of Hayashi Cannot be Used for the Printing Plates of Claims 2 and 13.

Hayashi discloses that the preferred smoothness of the interleaf sheet is at 200 seconds or greater (col. 2, lines 51 to 54). However, at a preferred smoothness of Hayashi, peelability from the non-image forming surface remarkably deteriorates.

Smoothness (sec)	3-55	65	100, 140, 190, 250, 420, 560, 600, 755, 900
Peelability from non-image forming surface	Sufficient	Insufficient	insufficient

DRAFT DECLARATION UNDER 37 C.F.R. § 1.132
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Attorney Docket No.: Q61689

Disclosure in specification	Yes	No (new data)
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The new data was obtained by _____.

With respect to the image forming surface, at a smoothness of 1000 seconds or over peelability from the image forming surface remarkably deteriorates.

Smoothness (sec)	307	8-560	600-900	1000 or over
Peelability from image forming surface	sufficient	good	sufficient	insufficient
Disclosure in specification	Yes			No (new data)

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: _____

[Press F11 to type declarant]